

CERTIFIED TRUE COPY
 ATTEST: WILLIAM M. McCOOL
 Clerk, U.S. District Court
 Western District of Washington

HONORABLE ROBERT S. LASNIK

By Stephanie Prather
 Deputy Clerk

IN THE UNITED STATES DISTRICT COURT
 FOR THE WESTERN DISTRICT OF WASHINGTON
 AT SEATTLE

SEATTLE PACIFIC INDUSTRIES, INC.

Civil Action No.: 18-cv-224-RSL

Plaintiff,

JUDGMENT IN A CIVIL ACTION

v.

S3 HOLDING LLC and OLIVIA MILLER, INC.

Defendants.

JUDGMENT SUMMARY

Judgment Creditor: Seattle Pacific Industries, Inc.

Judgment Debtors: S3 Holding LLC and Olivia Miller, Inc.

Principal Judgment Amount: \$308,464.10

Damages (Breach of Contract) ¹	\$160,000.00
Damages (Trademark Infringement) ²	\$ 31,136.00
Costs ³	\$ 5,057.00
Attorney Fees ⁴	\$ 64,615.50
Prejudgment Interest (12% per annum) ⁵	\$ 47,655.60

¹ See Order dated April 10, 2019, page 10. (Dkt. #49)

² *Id.*

³ See Order dated July 8, 2019, page 9. (Dkt. #56)

⁴ See Order dated November 12, 2019, page 3. (Dkt. #59)

⁵ See Order dated April 10, 2019, page 10. (Dkt. #49). This amount includes prejudgment interest from the date the \$160,000 in breach of contract damages became due, May 26, 2017, through November 18, 2019. If judgment is entered on a later date, the daily amount of prejudgment interest that accrues is \$52.60 (calculated as \$160,000 x 0.12 / 365). The period from May 26, 2017 through the date of this filing is 906 days.

1 Post-Judgment Interest Rate
 Pursuant to 28 U.S.C. § 1961⁶: 1.56%

2 Attorneys for Judgment Creditor Marc C. Levy
 3 Seattle Pacific Industries, Inc.: Thomas A. Shewmake
 SEED IP Law Group LLP
 4 701 Fifth Ave., Suite 5400
 5 Seattle, WA 98104

6 Attorney for Judgment Debtors Scott Zarin
 S3 Holding LLC and Zarin & Associates, P.C.
 7 Olivia Miller, Inc.: 244 West 102nd Street, #3B
 8 New York, NY 10025

9 **ORDER**

10 On April 10, 2019 The Court issued an Order (Dkt. #49) granting in part Seattle Pacific
 11 Industries, Inc.'s ("SPI") Motion for Summary Judgment. The Court awarded SPI damages for its
 12 breach of contract claim in the amount of \$160,000 plus pre-judgment interest at the rate of 12%
 13 per annum. SPI was also awarded \$31,136 for actual damages resulting from its trademark
 14 infringement claim. The Court invited SPI to submit a fee petition to seek reasonable fees and
 15 costs incurred in enforcing its rights under the License Agreement.

16 Plaintiff filed a Motion for Attorneys' Fees and Costs on April 24, 2019 (Dkt. #50). On
 17 July 8, 2019 the Court issued an Order Regarding Motion for Attorney's Fees and Costs (Dkt. #56).
 18 The Court granted in part Plaintiff's Motion and awarded costs of \$5,057. Defendants were
 19 instructed to pay costs of this amount within 20 days of the Order.

20 The Court's July 8th Order also denied in part Plaintiff's Motion for Attorney's Fees and
 21 Costs, but provided SPI the opportunity to segregate its fees and submit a revised proposed fee
 22 award. Plaintiff's Revised Attorney's Fees Request and Request for Entry of Judgment was filed
 23 on July 18, 2019 (Dkt. #57).

24
 25
 26
 27 ⁶ This rate assumes that judgment is entered during the week of November 18, 2019.

1 On November 12, 2019 the Court issued an Order Awarding Attorney's Fees and Costs
2 (Dkt. #59). The Court granted in part Plaintiff's revised request awarding the amount of
3 \$64,615.50 for attorney's fees and ordered that Plaintiff submit a proposed form of judgment.

4 Based on the Court's awards as outlined herein for damages, costs, attorneys' fees, and
5 prejudgment interest, the Principal Judgment Amount is \$308,464.10 (plus \$52.60 per day in
6 prejudgment interest between November 18, 2019 and the date that the Court enters judgment)
7 against Defendants S3 Holding LLC and Olivia Miller, Inc.

8 Now, therefore, the Court, being otherwise fully advised herein,

9 HEREBY ORDERS, ADJUDGES, AND DECREES that Plaintiff Seattle Pacific Industries,
10 Inc. is awarded judgment against Defendants S3 Holding LLC and Olivia Miller, Inc. jointly and
11 severally in the amount of \$308,464.10 (plus \$52.60 per day between November 18, 2019 and the
12 date that the Court enters judgment). Post-judgment interest on the judgment sum shall accrue at
13 the rate of 1.56% from the date of entry hereof.

14
15 IT IS SO ORDERED.

16 DATED this 19th day of November, 2019.

17
18 

19 Robert S. Lasnik

20 United States District Judge

21 *Presented by:*

22 SEED IP Law Group LLP

23 /s/Marc C. Levy

24 Marc C. Levy, WSBA No. 19203

25 Thomas A. Shewmake, WSBA No. 50765

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United States District Court
WESTERN DISTRICT OF WASHINGTON

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ATTEST: WILLIAM M. MCCOOL
Clerk, U.S. District Court
Western District of Washington
By Sepania Prather
Deputy Clerk

SEATTLE PACIFIC INDUSTRIES, INC.,

JUDGMENT IN A CIVIL CASE

v.

S3 HOLDING LLC, *et al.*

CASE NUMBER: C18-224RSL

 Jury Verdict. This action came before the Court for a trial by jury. The issues have been tried and the jury has rendered its verdict.

 X **Decision by Court.** This action came to consideration before the Court. The issues have been considered and a decision has been rendered.

THE COURT HAS ORDERED THAT

The Principal Judgment Amount is \$308,464.10 (plus \$52.60 per day in prejudgment interest between November 18, 2019 and the date that the Court enters judgment) against Defendants S3 Holding LLC and Olivia Miller, Inc.

November 21, 2019

William M. McCool
Clerk

/s/Michael Williams
By, Deputy Clerk